

## REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

## 35 U.S.C. §112 Rejection

Claims 1-75 have been rejected under 35 U.S.C. 112, second paragraph.

Without admitting the appropriateness of the rejection, Applicants respectfully submit that the rejection is moot in view of the above amendments.

## 35 U.S.C. §102(e) Rejection - Matsuda

The Examiner has rejected claims 1, 2, 4, 5, 9, 11, 13, 14, 16, 17, 19, 24-26, 28, 29, 31, 36, 38 and 73-75 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,847,374 issued to Matsuda (hereinafter referred to as "Matsuda"). The Applicants respectfully submit that the present claims are allowable over Matsuda.

Claim 79 recites a method comprising:

*"converting color data for an image from a first color space to a second color space;  
compensating for a change in backlight intensity by modifying, in the second color space, a color intensity for one or more portions of the image;  
converting the modified color data from the second color space to a third color space; applying a gamma transformation on the modified color data in the third color space to generate adjusted color data for one or more portions of the image; and storing the adjusted color data in a frame buffer".*

Matsuda does not teach or suggest these limitations. In particular, Matsuda does not teach or suggest compensating for a change in backlight intensity by modifying, in the second color space, a color intensity for one or more portions of the image.

Anticipation under 35 U.S.C. Section 102 requires every element of the claimed invention be identically shown in a single prior art reference. The Federal Circuit has indicated that the standard for measuring lack of novelty by anticipation is strict identity. *"For a prior art reference to anticipate in terms of 35 U.S.C. Section 102, every element of the claimed invention must be identically shown in a single reference."* In Re Bond, 910 F.2d 831, 15 USPQ.2d 1566 (Fed. Cir. 1990).

For at least these reasons, claim 79 and its dependent claims are believed to be allowable over Matsuda.

Independent claims 91, 106, 118, 131, 141, 145, and 151, and their respective dependent claims, are believed to be allowable for similar reasons.

#### 35 U.S.C. §103(a) Rejection - Matsuda

The Examiner has rejected claims 3, 6-8, 15, 21-23, 30, 33-35, 40-44, 50 and 51 under 35 U.S.C. §103(a) as being unpatentable over Matsuda. The Applicants respectfully submit that the present claims are allowable over Matsuda.

As discussed above, the independent claims are believed to be allowable over Matsuda. Applicants elect at this time not to address other aspects of this rejection.

#### 35 U.S.C. §103(a) Rejection - Matsuda and Rossi

The Examiner has rejected claims 10, 12, 27, 37, 39, 52 and 76-78 under 35 U.S.C. §103(a) as being unpatentable over Matsuda in view of U.S. Patent No. 7,042,436 issued to Rossi (hereinafter "Rossi"). The Applicants respectfully submit that the present claims are allowable over any combination of Matsuda and Rossi.

As discussed above, the independent claims are believed to be allowable over Matsuda. Applicants elect at this time not to address other aspects of this rejection.

Atty Docket No. 42P17696  
Application No. 10/674,363

**Allowable Subject Matter**

Applicants note with appreciation the Examiner's indication of allowable subject matter. At this time, Applicants hope more and broader claims will be allowed, and therefore elect not to write these claims in independent format at this point.

**Conclusion**

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

**Request For Telephone Interview**

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

**Request For An Extension Of Time**

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

**Charge Our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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